



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/137,989	08/21/98	GALDES	F 003395.P001

LM02/1110
BLAKELY SOKOLOFF TAYLOR AND ZAFMAN
12400 WILSHIRE BOULEVARD
7TH FLOOR
LOS ANGELES CA 90025

EXAMINER

HQ,R

ART UNIT

PAPER NUMBER

2771

DATE MAILED:

11/10/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/137,989

Applicant(s)

GALDES ET AL.

Examiner

RUAY L HO

Group Art Unit

2771

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 8-21-98 APPLICATION
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-20 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-16, 18-20 is/are rejected.
- ☒ Claim(s) 17 is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 3
- ☒ Notice of Reference(s) Cited, PTO-892
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2771

DETAILED ACTION

1. The disclosure is objected to because of the following informalities: brief summary of the invention is identical with the abstract.

Appropriate correction is required.

2. Brief Summary of the Invention: A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

Claim Rejections - 35 USC § 112

3. Claims 4-6 and 17 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2771

The 'sticky notes' claimed in claims 4-6 are not clear. Do applicants mean 'notes' or 'notes seem like sticky' ?

Claim 17 lacks a period at the end of the claim. Correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1-16, 18-20 are rejected under 35 U.S.C. 102(a) as being anticipated by MacNaughton et al. (USPN 5,796,393).

Regarding claim 1:

The claimed 'displaying a menu including three levels of interaction' is shown in col.2, l.3-49,

the claimed 'self-help searching in database of information' is shown in col.2, l.3-49 & col.8, l.10-23,

the claimed 'asynchronous help, requesting help and receiving a replay' is shown in col.2, l.3-49 & col.8, l.10-23,

the claimed 'synchronous help, interaction with an advisor' is shown in col.3, l.25-35,

Art Unit: 2771

the claimed 'alerting the advisor; displaying a list of previously visited sites by the client to the advisor' is shown in col.2, 1.3-49 & col.8, 1.10-23,

the claimed 'synchronizing display between the client and the advisor, such that the advisor sees an identical display to the client' is shown in col.1, 1.25-27.

Regarding claim 2:

the claimed 'the identical display is displayed at a same rate for the advisor as for the client' is shown in col.1, 1.25-27.

Regarding claim 3:

the claimed 'an additional display permitting search of a database of information to help the client' is shown in col.8, 1.10-23.

Regarding claims 4-6:

the claimed 'the advisor posts sticky notes on a web site discussed with the client' and 'text, hyper-linked references, video, audio, or other information' are shown in col.1, 1.18-49, col.4, 1.19-23 & col.7, 1.34-47.

Regarding claim 7:

the claimed 'creating a reviewable discussion trail based on the client's discussion with the

Art Unit: 2771

advisor' is shown in col.1, l.18-49 & col.4, l.19-23.

Regarding claim 8:

The claimed 'the discussion trail is stored on a server, and may be reviewed by the client at any time' is shown in col.3, l.62 to col.4, l.31.

Regarding claim 9:

The claimed 'adding a help information generated by the advisor to the database of information accessible to clients' is shown in col.3, l.62 to col.4, l.31.

Regarding claim 10:

Claim 10 is rejected for the similar rationale given for claims 1, 3 and 7.

Regarding claim 11:

The claimed 'web page hyperlink' is shown in col.2, l.3-33.

Regarding claim 12:

Claim 12 is rejected for the similar rationale given for claim 4.

Art Unit: 2771

Regarding claim 13:

Claim 13 is rejected for the similar rationale given for claim 5.

Regarding claim 14:

Claim 14 is rejected for the similar rationale given for claims 1-11.

Regarding claim 15:

The claimed 'providing a persistent answer to the client system' is shown in col.6, l.8-63.

Claim 15 is also rejected for the similar rationale given for claim 1.

Regarding claim 16:

The claimed 'the persistent answer is stored on the server system' is shown in col.6, l.8-63.

Regarding claim 18:

Claim 18 is rejected for the similar rationale given for claims 1 and 3.

Regarding claim 19:

The claimed 'customer profile and context information' is shown in col.8, l.24-42.

Art Unit: 2771

Regarding claim 20:

Claim 20 is rejected for the similar rationale given for claim 1.

6. Claim 17 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

7. The following is a statement of reasons for the indication of allowable subject matter:

In claim 17, the claimed 'permitting the advisor to pilot a browser of the customer' is not disclosed by any prior art.

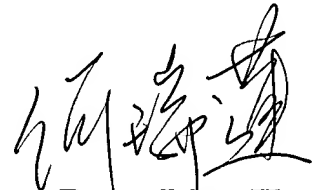
8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ruay L. Ho whose telephone number is (703) 305-3834. The examiner can normally be reached on Monday - Friday from 10 am to 5 pm.

Art Unit: 2771

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Black, can be reached on (703) 305-9707. The fax phone number for this Group is (703) 308-9051 or (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.



Ruay Lian Ho
Primary Examiner
Art Unit 2771